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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 KYLE DABEL,

10 Plaintiff,

11 v.

12 D.O.C., et al.,

13 Defendants.

NO. C17-496-JLR-JPD

REPORT AND
RECOMMENDATION

14 Proceeding *pro se*, plaintiff has filed a proposed civil rights complaint pursuant to 42
15 U.S.C. § 1983. By letter dated March 29, 2017, plaintiff was granted 30 days to either pay the
16 filing fee or submit a completed application to proceed *in forma pauperis* (“IFP”), along with a
17 certified copy of his prison trust account statement showing transactions for the past six
18 months. Dkt. 2. Plaintiff was advised that failure to respond to the letter by April 28, 2017,
19 could result in dismissal of the case. *Id.*

20 To date, plaintiff has neither paid the filing fee nor submitted a completed IFP
21 application. Accordingly, the Court recommends that this action be DISMISSED without
22 prejudice for failure to pay the filing fee pursuant to 28 U.S.C. § 1914. A proposed order
23 accompanies this Report and Recommendation.
24

Objections to this Report and Recommendation, if any, should be filed with the Clerk and served upon all parties to this suit by no later than **June 5, 2017**. Failure to file objections within the specified time may affect your right to appeal. Objections should be noted for consideration on the District Judge's motion calendar for the third Friday after they are filed. Responses to objections may be filed within **fourteen (14)** days after service of objections. If no timely objections are filed, the matter will be ready for consideration by the District Judge on **June 9, 2017**.

This Report and Recommendation is not an appealable order. Thus, a notice of appeal seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the assigned District Judge acts on this Report and Recommendation.

DATED this 15th day of May, 2017.

James P. Donohue
 JAMES P. DONOHUE
 Chief United States Magistrate Judge